

18334 U.S. PTO
09/17/03

Atty. Dkt. No. 067286-0275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James C. KENNEDY et al.
Title: PHOTOCHEMOTHERAPEUTIC METHOD USING 5-AMINOLEVULINIC ACID AND OTHER PRECURSORS OF ENDOGENOUS PORPHYRINS
Prior Appl. No.: 09/928,505
Prior Appl. Filing Date: 08/14/2001
Examiner: Unassigned
Art Unit: Unassigned

22141 U.S. PTO
10/663992
09/17/03

CONTINUING PATENT APPLICATION
TRANSMITTAL LETTER

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☒ Continuation ☐ Division ☐ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

☒ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

☒ Specification, Claim(s), and Abstract (41 pages).

☒ Copy of recorded Assignment of the invention to DUSA PHARMACEUTICALS, INC. (4 pages) from parent application S.N. 08/465,242.

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$750.00	\$750.00
Total	11	- 20	= 0	x \$18.00	= \$0.00
Claims: Independen	4	- 3	= 1	x \$84.00	= \$84.00
ts:					
If any Multiple Dependent Claim(s) present:				+ \$280.00	= \$280.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$1244.00
[X] Small Entity Fees Apply (subtract ½ of above):					= \$622.00
				TOTAL FILING FEE:	= \$622.00

[X] The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 9/17/03


FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 672-5475

Facsimile: (202) 672-5399

By


Reg No 43445

to ✓ Beth A. Burrous
Attorney for Applicant
Registration No. 35,087